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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

C-2357Re

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,399,231 B1, granted June 4, 2002,and for which a reissue patent is sought on the invention entitled Method and Apparatus for Regenerating the Performance of a PEM Fuel Cell,

the specification of which

☒ is attached hereto.☐ was filed _____ as reissue application number _____
and was amended _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/2B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.☒ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

New claim 10 is a broader claim than either of the two independent claims (1 and 8) of the original issued patent. It is a broadened version of claim 1 in that the word "battery" in column 12, line 21 has been changed to "power supply", which encompasses a "battery" but is not limited thereto. Applicants limited the original claim to a "battery" in error and believe they are entitled to the broader claim, which is supported by the specification in column 2 at lines 49-67, more specifically, line 52.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
C-2357Re

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this

Name(s)	Registration Number
Stephen E. Revis	26,609
Henry T. Crenshaw	37,805
Robert H. Kelly	28,961

Correspondence Address: Direct all communications about the application to:

☐ Customer Number

OR

<input type="checkbox"/> Firm or	Stephen E. Revis				
Address	1 Abbottsford				
Address					
City	Avon	State	CT	Zip	06001
Country	USA				
Telephone	(860) 674-1835	Fax	(860) 674-1804		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

John Donahue

Inventor's signature



Date

November 5, 2003

Residence 469 Hickory Street, Suffield, CT 06078

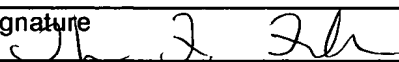
Citizenship USA

Mailing Address same as residence

Full name of second joint inventor (given name, family name)

Thomas F. Fuller

Inventor's signature



Date

November 6, 2003

Residence 300 Chestnut Hill Road, Glastonbury, CT 06033

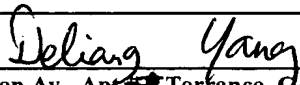
Citizenship USA

Mailing Address same as residence

Full name of third joint inventor (given name, family name)

Deliang Yang

Inventor's signature



Date

October 29 2003

Residence 23038 Arlington Av., Apt #22 Torrance, CA 90501

Citizenship USA

Mailing Address same as residence


☒ Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.

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DECLARATION**ADDITIONAL INVENTOR(S)**

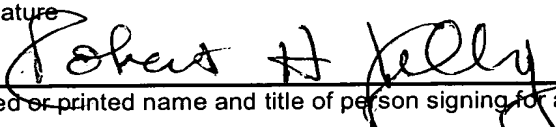
Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Jung S.		Yi	
Inventor's Signature			Date <u>11/02/03</u>
Residence: City	Mansfield	State	CT
		Country	USA
Mailing Address	42 Puddin Lane, Mansfield, CT 06250		
Mailing Address	same as residence		
City		State	
		ZIP	
		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature			Date
Residence: City		State	
		Country	
Mailing Address			
Mailing Address			
City		State	
		ZIP	
		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature			Date
Residence: City		State	
		Country	
Mailing Address			
Mailing Address			
City		State	
		ZIP	
		Country	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT		Docket Number (Optional) C-2357Re
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) <div style="text-align: center;">John Donahue; Thomas F. Fuller; Deliang Yang; and Jung S. Yi</div>		
Patent Number <div style="text-align: center;">6,399,231 B1</div>	Date Patent Issued <div style="text-align: center;">June 4, 2002</div>	
Title of Invention		
<p>1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next ten try and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee(s) owning an undivided interest in said original patent is/are <u>UTC Fuel Cells, LLC</u> , and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) <div style="text-align: center;">UTC Fuel Cells, LLC</div>		
Signature 	Date <div style="text-align: center;">6 Nov. 03</div>	
Typed or printed name and title of person signing for assignee (if assigned) <div style="text-align: center;">Robert H. Kelly, Intellectual Property Counsel</div>		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: UTC Fuel Cells, LLC

Application No./Patent No.: Patent #6,399,231 B1 Filed/Issue Date: June 4, 2002

Entitled: Method and Apparatus for Regenerating the Performance of a PEM Fuel Cell

UTC Fuel Cells, LLC, a limited liability company
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency; etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below: J. Donahue; T. Fuller;

1. From: D. Yang; & J. Yi To: International Fuel Cells, LLC
The document was recorded in the United States Patent and Trademark Office at
Reel 010918, Frame 0517, or for which a copy thereof is attached.

2. From: International Fuel Cells, LLC To: UTC Fuel Cells, LLC
The document was recorded in the United States Patent and Trademark Office at
Reel 012794, Frame 0433, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

6 Nov 03
Date
(860) 727-2160
Telephone number

Robert H. Kelly
Typed or printed name
Robert H. Kelly
Signature
Intellectual Property Counsel
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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